

NORWAY PLAINS ASSOCIATES, INC.

SURVEYORS • SEPTIC SYSTEM DESIGNERS • ENGINEERS • TRANSPORTATION PLANNERS

2 Continental Blvd. (03867)
P.O. Box 249
Rochester, NH 03866-0249
Telephone (603) 335-3948
NH (800) 479-3948 Fax (603) 332-0098
Email: jrunnals@norwayplains.com



31 Mooney St.
P. O. Box 268
Alton, NH 03809
Telephone & FAX (603) 875-3948
www.norwayplains.com

Narrative

LAND USE OFFICE

February 25, 2015

FEB 25 2015

Barrington Zoning Board of Adjustment
PO Box 660
333 Calef Highway
Barrington, NH 03825

RECEIVED

Re: Tax Map 235, Lot 1 (TM 235-1-0) & Tax Map 239, Lot 2 (TM 239-2-0)

The owners of the above referenced lots are requesting a Special Exception to:

Article 4 – Dimensional Requirements

4.1 General Provisions

2) Lot Frontage

“The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access.”

Through the Planning Board we are proposing a lot line adjustment / subdivision of TM 235-1-0 and TM 239-2-0. The lots are located in the newly created Town Center District. TM 235-1-0 has a very minimum usable amount of frontage to be able to subdivide it into any reasonable configuration without a lot line adjustment with TM 239-1-0. The combination of the two will allow a start of a Town Center. TM 235-1-0 and TM 239-2-0 frontages will be along the Franklin Pierce Highway. The proposed lots TM 235-1-1, 235-1-2 and 239-2-1 will use a strip of land that will be divided equally giving each lot 40 feet of frontage on Franklin Pierce Highway.

Currently lots 235-1-0, 235-2-0 and 235-4 use the existing driveway off of the Franklin Pierce Highway that is known as the entrance/ driveway to the “Christmas Dove Store.” No additional uses or accesses from the proposed lot are going to occur until the mentioned new private roadway is built.

The proposed lot line adjustment / subdivision that is being proposed to the planning board will not include the design of a road to these lots. The neck areas will remain with these lots until such time that a new private roadway is designed, approved and built to the Town's and NHDOT's specifications through the site review process when the lots are developed. When the new private roadway is approved these lots will abandon the neck areas and combine them to create a 60 foot wide roadway and that will service the

lots and become their frontage.

The applicants have been working with Kevin Russell, NHDOT assistant district 6 engineer on this concept. NHDOT does support the proposed configuration and use of the existing driveways knowing that the two existing driveways on 239-2-0 and the one at the entrance to 235-1-0 will be abandoned when the new common private roadway is built that will service all the above mentioned lots.

In the future when lots 235-1-0 and 239-2-0 are developed they will use the new common private roadway along with all the other lots and not use their existing driveways which will be abandoned. The final product will be the elimination of 3 private driveways and the construction one new curb cut designed to NHDOT standards.

Thank you for your consideration.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.


Joel D. Runnals, NHLLS

LAND USE OFFICE

FEB 25 2015

RECEIVED



Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

Date 02-25-15

Case No. 239-2*235-1-TC-15-ZBA

Owner: John & Linda Svenson

Mailing Address: PO Box 10, Barrington, NH 03825

Phone: 603-664-7712

Owner: 1962 Real Estate, LLC

Mailing Address: 40 Wakefield Street, Rochester, NH 03866

Phone: 603-332-6840

PART I – GENERAL REQUIREMENTS

All Graphics shall be to Scale and Dimensioned

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

Req'd	Rec'd
-------	-------

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance) |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Appeal and Decision |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input type="checkbox"/>
\$ 75.00 Legal Notice <input type="checkbox"/>
\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form
<input type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative |

LAND USE OFFICE

FEB 25 2015

RECEIVED

- ☐ ☐ 8. HOA Approval (*if applicable*)
- ☐ ☐ 9. Context or Locus Map (Show Surrounding Zoning Districts)
- ☐ ☐ 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).
- ☐ ☐ 11. Existing Conditions Photo Exhibit (*See instruction page for submitting photos*)
Up to four photos may be shown per 8 1/2" X 11" page size
 - a. Show all existing structures on site
- ☐ ☐ 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)
- ☐ ☐ 13. Mailing Labels (4 sets)

PART II – REQUIRED PLANS AND RELATED DATA
All Graphics and Plans Shall be to Scale and Dimensioned

- ☐ ☐ 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- ☐ ☐ 2. Elevations: Show all sides of building and indicate building heights
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- ☐ ☐ 3. Floor Plans
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- ☐ ☐ 4. All drawings and any revised drawings must be submitted in PDF format
- ☐ ☐ 5. OTHER: _____
- ☐ ☐ 6. Your Appointment Date and Time for Submitting the Complete Application is:

LAND USE OFF

FEB 25 2015

RECEIVED

Barbara Irvine
Staff Signature

2/25/15
Date

Land Use Department
Town of Barrington; 333 Calef Highway; Barrington, NH 03825
barrplan@metrocast.net Phone: 603.664.5798

PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 239-2+235-1-TC-15-ZBA

Project Name John & Linda Svenson and 162 Real Estate, LLC

Location Address 9 Christmas Lane & 625 Franklin Pierce Highway

Tax map 239, lot 2 & tax map 235, lot 1

Zoning District (Include Overlay District if Applicable) Town Center

Property Details: X Mixed Use

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for.
If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:

Article 4 – Dimensional Requirements

4.1 General Provisions

2) Lot Frontage

"The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access."

Project Narrative: *(Please type and attach a separate sheet of paper)*

See attached narrative.

Barrington Zoning Ordinance Requirements:

Article 4 – Dimensional Requirements

4.1 General Provisions

2) Lot Frontage

"The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access."

Request: *(You may type and attach a separate sheet of paper)*

The applicants are requesting to continue using the existing driveway /entrance for access instead of the 40' frontage to the three proposed lots that they will be proposed to the planning Board for a lot line adjustment /subdivision.

PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

See attached page titled "Justification for special exceptions."

LAND USE OFFICE

FEB 25 2015

RECEIVED

- ☐ 1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

- ☐ 2. Granting the variance would be consistent with the spirit of the Ordinance.

- ☐ 3. Granting the variance will not result in diminution of surrounding property values.

- ☐ 4. Granting of the variance would do substantial justice.

- ☐ 5. Granting of the variance would not be contrary to the public interest.

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exception complies by addressing the issues below.

See attached page titled "Justification for special exceptions."

- ☐ 1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.

- ☐ 2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.

- ☐ 3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

- ☐ 4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

- ☐ 5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

LAND USE OFFICE

FEB 25 2015

RECEIVED

Justification for special exception to part five – items 1-5.

The proposed lot line adjustment / subdivision that will be submitted to the planning board is not requiring any additional demands to the existing driveway. The lots will not be developed until they have obtained site review approval from the planning board. No additional traffic would be added to the current use of the driveway. Pertaining to the subdivision, the lot that requires the special exception is the proposed tax map 235, lot 1-1 which the Christmas Dove Store is located on. Tax map 238, lot 2-0 could continue using the two existing driveways that are on the lot. Lots 235-2 and 239-2-1 are not being developed at this time therefore they will not burden the existing driveway.

All existing conditions will remain the same. There is no proposed construction of any kind being proposed. The abutting properties are also located in the same zoning district and would benefit in this first step in creating The Town Center.

There will be no detriment to the surrounding property values due to the emissions of any substance. No environmental hazard threats will occur from fire, explosion or toxic release. No new demands on municipal infrastructures or services. The proposal going before the planning board does not have any proposed construction or development and would not affect any water quality or loss of habitat. The area is not in any designated flood zones.

Nothing physically will change other than the new lot lines that will be created.

LAND USE OFFICE

FEB 25 2015

RECEIVED

In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:

- ☐ 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.
- ☐ 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.
- ☐ 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.
- ☐ 4. Limitations on the number of occupants and methods and times of operation.
- ☐ 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.
- ☐ 6. Location and amount of parking and loading spaces in excess of existing standards.
- ☐ 7. Regulation of the number, size, and lighting of signs in excess of existing standards.

Joel D. Remond 02-25-15
Signature of Applicant Date

[Signature] 2-25-15
Signature of Owner Date

Signature of Owner Date

**SIGN
& DATE**



LAND USE OFFICE
FEB 25 2015
RECEIVED

LAND USE OFFICE
FEB 25 2015
RECEIVED

Littleworth Rd



© 2013 Google

© 2013 Google

Google

43°12'51.96" N 70°59'52.08" W elev 217 ft eye

LIST OF ABUTTERS

List of all the names and addresses of the owner(s) of record of the property and abutters, including persons whose property is separated from the concerned property by a street(s), public land(s) or stream(s). It is the responsibility of the applicant to determine the completeness and accuracy of the list of abutters.

MAP/LOT APPLICANTS

235/1	John & Linda Svenson; PO Box 10; Barrington, NH 03825
239/2	1962 Real Estate, LLC; 40 Wakefield Street; Rochester, NH 03867

MAP/LOT ABUTTERS

235/2	Garth & Elizabeth Svenson; P. O. Box 10; Barrington, NH 03825
235/3	Applicant (Svenson)
238/1	Bernard & Susan Bennett; 112 Walnut Street; Rochester, NH 03867
238/3	Applicant (Svenson)
239/1.1	David & Glenda Henderson; 1273 Winged Foot Lane; Denver, NC 28037
239/3	Katherine Henderson & Helen Lawson; 245 Brook Glen Drive; Mooresville, NC 28115
239/7	RLC Holdings; 105 Mallego Road; Barrington, NH 03825

PROFESSIONAL CONTACTS

Joel D. Runnals, LLS; Norway Plains Associates, Inc.; P. O. Box 249, Rochester, NH 03866-0249

LAND USE OFFICE

FEB 25 2015

RECEIVED